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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,019	10/10/2001	Craig Heyward	10370/32421	7307

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MORRIS MANNING & MARTIN LLP
1600 ATLANTA FINANCIAL CENTER
3343 PEACHTREE ROAD, NE
ATLANTA, GA 30326-1044

EXAMINER

PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/974,019

Applicant(s)

HEYWARD ET AL.

Examiner

Joseph T Phan

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 3. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 2 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 3, recites "the last broadcast status data". It is unclear if "the last broadcast status data" is referring to "the current status data" of line 3 or if this is different data that is broadcasted.

Claim 1, line 9 recites "transmitting the current status databased upon the broadcast status criteria". This phrase is confusing as is as the current status could be read as coming from a database or if the term "databased" should be separated as "data based".

Claim 2, line 2 the term "the intelligent..." lacks antecedent basis.
Appropriate correction or clarification is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2645

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-19 rejected under 35 U.S.C. 102(e) as being anticipated by Hillman et al., Patent #6,522,265.

Regarding claim 1, Hillman teaches a method for providing status information from a mobile unit, comprising the steps of:

comparing, at a mobile unit, current status data with the last broadcast status data (col.2 lines 12-41 and col.10 lines 5-29);

determining a broadcast status criteria wherein the broadcast status criteria includes a plurality of predetermined criterions (*col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29*);

transmitting the current status databased upon the broadcast status criteria, receiving the current status data at a host system (*col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29*);

storing the current status data; receiving a request for the status information (*col.10 lines 5-29*);

retrieving the current status data from storage on the host system and proving the status information based upon the stored current status data(*col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29*).

Regarding claim 2, Hillman teaches the method of claim 1, wherein the step of determining the broadcast criteria includes determining if an external power source is

currently connected to the intelligent mobile unit (col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 3, Hillman teaches the method of claim 1, wherein the step of determining the broadcast criteria includes determining if an external sensor has changed status(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 4, Hillman teaches the method of claim 1, wherein the step of determining the broadcast criteria includes determining if the mobile unit has entered or exited a predetermined geographical zone(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 5, Hillman teaches the method of claim 1, wherein the step of determining the broadcast criteria includes determining if the mobile unit has triggered a preset alarm(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 6, Hillman teaches the method of claim 5, wherein the step of determining if the mobile unit has triggered a predetermined alarm includes determining if the mobile unit has exceeded a predetermined speed limit(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 7, Hillman teaches the method of claim 5, wherein the step of determining if the mobile unit has triggered a predetermined alarm includes determining if the mobile unit has exited a geographically defined zone(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 8, Hillman teaches the method of claim 5, wherein the step of determining if the mobile unit has triggered a predetermined alarm includes determining if the mobile unit has moved during a predetermined time period(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 9, Hillman teaches a system for providing status information from a mobile unit, comprising:

an all-inclusive container with a connector for an external power source(88 Fig.3 and col.6 lines 6-17) and at least one connector for external sensor signals(86 Fig.3 and col.6 lines 6-36);

an internal power supply(20 Fig.2; unit supplies power to sensors 252, 266, etc. of Fig.3) chargeable by the external power source(car battery Fig.2);

an internal global positioning receiver(26 Fig.4) connected to the internal power supply (20 Fig.2);

an internal processor(20 Fig.2 and 27 fig.4) coupled to the global positioning receiver wherein the processor transmits current status data based upon a broadcast status criteria(col.2 lines 17-30 and col.10 lines 5-41);

internal memory coupled to the processor wherein the memory stores the broadcast status criteria(col.10 lines 5-41);

an internal radio modem coupled to the processor(26 or 68 Fig.4); and

an internal antenna coupled to the radio modem(40 or 44 Fig.4).

Regarding claim 10, Hillman teaches a system for providing status information from a mobile unit, comprising:

an all-inclusive container with a connector(20 and 88 Fig.3 and col.6 lines 6-17) for an external power source(*car battery Fig.2*);

an internal power supply(20 Fig.2; unit supplies power to sensors 252, 266, etc. of Fig.3) chargeable by the external power source(*car battery Fig.2*);

an internal global positioning receiver connected to the internal power supply(26 and 20 Fig.4);

an internal processor coupled to the global positioning receiver wherein the processor determines a broadcast criteria based upon if external power is available (27 Fig.4; Hillman's system is powered by the external power/battery and determines a broadcast criteria if power is available);

internal memory coupled to the processor wherein the memory stores the broadcast criteria(col.10 lines 5-41);

an internal radio modem coupled to the processor(26 or 68 Fig.4); and

an internal antenna coupled to the radio modem(40 or 44 Fig.4).

Regarding claim 11, Hillman teaches a system for providing status information from an intelligent mobile unit, comprising:

an all-in-one box mobile unit comprising:

a container with an external power source connection(88 Fig.3) and at least one external sensor signal connection(86 Fig.3 and col.6 lines 6-36) comprising:

an internal power supply(20 Fig.2; unit supplies power to sensors 252, 266, etc. of Fig.3) chargeable by the external power source(*car battery Fig.2*);

an internal global positioning receiver connected to the internal power supply(26 and 20 Fig.4);

an internal processor coupled to the global positioning receiver wherein the processor transmits current status data based upon a broadcast status criteria(26 and 27 Fig.4 and col.10 lines 5-41);

internal memory coupled to the processor wherein the memory stores the broadcast status criteria(col.10 lines 5-41);

an internal radio modem coupled to the processor(26 or 68 Fig.4); and

an internal antenna coupled to the radio modem(40 or 44 Fig.4).

a wireless network wherein the wireless network receives wireless data packets transmitted from the radio modem; a host system(Fig.7) that receives data packets from the wireless network and stores the data packet information on a storage mechanism (col.2 lines 17-55 and col.7 lines 26-32);

a global computer network for delivering a status request to the host system wherein the global computer network delivers the status information based upon the stored data packet information(col.2 lines 17-55 and col.7 lines 26-32).

Regarding claim 12, Hillman teaches a system for providing status information from a mobile unit, comprising:

a mobile unit containing a radio modem, a global position receiver, and a processor(20, 26, and 44 Fig.4) wherein the processor causes a transmission if a broadcast criteria has been satisfied, the broadcast criteria includes a plurality of criterions(col.2 lines 17-25, col.5 lines 43-50, and col.7 lines 27-32);

a wireless network wherein the wireless network receives wireless data packets transmitted from a radio modem within the mobile unit;
a global computer network for delivering a status request to a host system(Fig.7);
the host system that receives data packets from the wireless network, stores the data packet information on a storage mechanism, and provides the status information from the stored information at the host system(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 26-32 and col.10 lines 5-29)..

Regarding claim 13, Hillman teaches a method for providing status information from a mobile unit, comprising the steps of:
comparing, at the mobile unit, current status data with last broadcast status data,
determining a broadcast criteria wherein the broadcast criteria includes a plurality of predetermined criterions of which one criterion is whether external power is available to the mobile unit, transmitting the current status databased upon the broadcast status criteria(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29;
determining if external power is available is understood since data is sent and received from monitoring center/host)

Regarding claim 14, Hillman teaches the method of claim 13, wherein the step of determining the broadcast criteria includes determining if an external sensor has changed status(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 15, Hillman teaches the method of claim 13, wherein the step of determining the broadcast criteria includes determining if the mobile unit has entered or

exited a predetermined geographical zone(col.2 lines 17-25, col.5 lines 43-50, and col.7 lines 27-32).

Regarding claim 16, Hillman teaches the method of claim 13, wherein the step of determining the broadcast criteria includes determining if the mobile unit has triggered a preset alarm(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Regarding claim 17, Hillman teaches the method of claim 13 wherein the step of determining if the mobile unit has triggered a predetermined alarm includes determining if the mobile unit has exceeded a predetermined speed limit(col.2 lines 17-25, col.5 lines 43-50, and col.7 lines 27-32).

Regarding claim 18, Hillman teaches the method of claim 13, wherein the step of determining if the mobile unit has triggered a predetermined alarm includes determining if the mobile unit has exited a geographically defined zone(col.2 lines 17-25, col.5 lines 43-50, and col.7 lines 27-32).

Regarding claim 19, Hillman teaches the method of claim 13, wherein the step of determining if the mobile unit has triggered a predetermined alarm includes determining if the mobile unit has moved during a predetermined time period(col.2 lines 17-25, col.5 lines 43-50, col.7 lines 27-32 and col.10 lines 5-29).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:30-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

JTP
December 9, 2003



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

